105th Congress, 1st Session - - - - - - - - House Document 105-64

DEVELOPMENTS CONCERNING THE NATIONAL EMERGENCY WITH RESPECT TO ANGOLA

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A REPORT ON DEVELOPMENTS SINCE HIS LAST REPORT OF SEPTEMBER 19, 1996, CONCERNING THE NATIONAL EMERGENCY WITH RESPECT TO ANGOLA THAT WAS DECLARED IN EXECUTIVE ORDER 12865 OF SEPTEMBER 26, 1993, PURSUANT TO 50 U.S.C. 1703(c)



APRIL 10, 1997.—Referred to the Committee on International Relations and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

-011 WASHINGTON: 1997

39-011

THE WHITE HOUSE, Washington, April 3, 1997.

Hon. NEWT GINGRICH, Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I hereby report to the Congress on the developments since my last report of September 19, 1996, concerning the national emergency with respect to Angola that was declared in Executive Order 12865 of September 26, 1993. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergencies

gency Economic Powers Act, 50 U.S.C. 1703(c).

On September 26, 1993, I declared a national emergency with respect to the National Union for the Total Independence of Angola ("UNITA"), invoking the authority, inter alia, of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) and the United Nations Participation Act of 1945 (22 U.S.C. 287c). Consistent with United Nations Security Council Resolution 864, dated September 15, 1993, the order prohibited the sale or supply by United States persons or from the United States, or using U.S.-registered vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles, equipment and spare parts, and petroleum and petroleum products to the territory of Angola other than through designated points of entry. The order also prohibited such sale or supply to UNITA. United States persons are prohibited from activities that promote or are calculated to promote such sales or supplies, or from attempted violations, or from evasion or avoidance or transactions that have the purpose of evasion or avoidance, of the stated prohibitions. The order authorized the Secretary of the Treasury, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, as might be necessary to carry out the purposes of the order.

1. On December 10, 1993, the Department of the Treasury's Office of Foreign Assets Control (OFAC) issued the UNITA (Angola) Sanctions Regulations (the "Regulations") (58 Fed. Reg. 64904) to implement my declaration of a national emergency and imposition of sanctions against UNITA. The Regulations prohibit the sale or supply by United States persons or from the United States, or using U.S.-registered vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles, equipment and spare parts, and petroleum and petroleum products to UNITA or to the territory of Angola other than through designated points of entry. United States persons are also prohibited from activities that promote or are calculated to promote such sales or supplies to UNITA or Angola, or from any transaction by any United States persons that evades or avoids, or has the pur-

pose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in the Executive order. Also prohibited are transactions by United States persons, or involving the use of U.S.-registered vessels or aircraft, relating to transportation to Angola or

UNITA of goods the exportation of which is prohibited.

The Government of Angola has designated the following points of entry as points in Angola to which the articles otherwise prohibited by the Regulations may be shipped: *Airports*: Luanda and Katumbela, Benguela Province; *Ports*: Luanda and Lobito, Benguela Province; and Namibe, Namibe province; and *Entry Points*: Malongo, Cabinda Province. Although no specific license is required by the Department of the Treasury for shipments to these designated points of entry (unless the item is destined for UNITA), any such exports remain subject to the licensing requirements of the Department of State and/or Commerce.

There has been one amendment to the Regulations since my report of September 19, 1996. The UNITA (Angola) Sanctions Regulations, 31 CFR Part 590, were amended on October 21, 1996 (61 Fed. Reg. 54936, October 23, 1996), to implement section 4 of the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996, by adjusting for inflation the amount of the civil monetary penalties that may be assessed under the Regulations. The amendment increases the maximum civil monetary penalty provided in the Regulations

from \$10,000 to \$11,000 per violation.

The amended Regulations also reflect an amendment to 18 U.S.C. 1001 contained in section 330016(1)(L) of Public Law 103–322, September 13, 1994; 108 Stat. 2147. The amendment notes the availability of higher criminal fines pursuant to the formulas set forth in 18 U.S.C. 3571. A copy of the amendment is attached.

2. The OFAC has worked closely with the U.S. financial community to assure a heightened awareness of the sanctions against UNITA—through the dissemination of publications, seminars, and notices to electronic bulletin boards. This educational effort has resulted in frequent calls from banks to assure that they are not routing funds in violation of these prohibitions. United States exporters have also been notified of the sanctions through a variety of media, including via the Internet, Fax-on-Demand, special fliers, and computer bulletin board information initiated by OFAC and posted through the U.S. Department of Commerce and the U.S. Government Printing Office. There have been no license applications under the program since my last report.

3. The expenses incurred by the Federal Government in the 6-month period from September 26, 1996, through March 25, 1997, that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to UNITA are about \$61,000, most of which represent wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel), and the Department of State (particularly the Office

of Southern African Affairs).

I will continue to report periodically to the Congress on significant developments, pursuant to 50 U.S.C. 1703(c). Sincerely,

WILLIAM J. CLINTON.

of Yugoslavia (Sartiu and Monteregro and Bomism Sarti-Controlled Areas of the Republic of Bossia and Hamagovic Sanctions Regulations, UNITA (Angoli Sanctions Regulations, and Terrecism Sanctions Regulations (collectively, the "Regulations") to implement section 4 of the Federal Civil Punalties Inflation. or the receive LVII Presames inflation.
Adjustment Act of 1990, as smended by
the Debt Collection improvement Act of
"296, by adjusting for inflation the
amount of the civil monstary panalties
that may be assessed under the
Regulations. The rule also emends the Regulations. Are turn time amount to penalty provisions of the Regulations t reflects 1994 amendment to 18 U.S.C. 1001. Certain of the P. gulations are all anymoded to note the availability of arymoded to note the svallability of higher criminal fines under 18 U.S.C. 3571.

of Yugoslavia (Sert-is and Mos

EFFECTIVE DATE: October 21, 1998. Professive Mater Lemoner 21, 1996.
FOR FURTHER REPORANTION CONTRACT: Mr R.S. Scott, Cirief, Civil Punalties
Program (ed.: 2027/022-0140); or
William B. Hoffman, Chief Counsel (to.
2027/022-2410), Office of Foreign Asset
Control. Department of the Treasury,
Washington, DC 20220.

SUPPLEMENTARY INFORMATION:

Electronic and Facultaile Availability

Electronic and Facsimile Availability
This document is available as un
electronic fil: on The Federal Bulletin
Board the 4 y of publication in the
Federal Enginter. By modern, dial 202/
512-3337 and type "GO FAC," or call
202/512-1330 for disk or paper copies,
This file is available for downloading
without charge in WordParfact 5.1,
ASCII. and Adobe Acrobat¹⁰⁴ readable
("JDF) formats. For Internet across, the
address for use with the World Wide
Wash [Home Pase]. Tablet, or FTP address for use with the World Wide Wab (Home Page), Telmet, or FTP protocol is: fedible access goo, gov. The document is also accessible for downloading in ASCII formst without charge from Treasury's Electronic Library ("TEL") in the "Business, Trade and Labor Mail" of the FediWorld bulletin board. By modem, dial 703/321-3339, and select the appropriate self-expanding file in TEL. For internet access, use one of the following protocols: Telmet-fedworld gov (192.239.93.3): World Wide Web (Home Page) = http://www.fsdworld.gov.FTP = ftp.fsdworld.gov (192.239.92.203).
Additional information concerning the programs of the Office of Foweign Assets a rp. neavering of (192.239.82.205).
Additional information concerning the programs of the Office of Foreign Assets Control is available for downloading from the Office's internet Home Page: http://www.ustreas.gov/treasury/services/fac/fac.html, or in fax form

Office of Foreign Assets Control

31 CFR Parts 500, 515, 8.25, 550, 560, 575, 585, 590 and 595

Foreign Assets Control Regulations, Cuban Assets Control Regulations, Iranian Asset; Control Regulations, Ibyan Sanottona Regulations, Iranian Transactions Regulations, Iranian Transactions Regulations, Irania Republic of Yuposlavia (Sarbia and Montenegro) and Bosmian Serb-Controlled Arase of the Republic of monismegro) and Scenian Serb-Controlled Areas of the Republic of Bosnis and Herzsgovina Sanctions-Regulations, UNITA (Angole) Senctions Regulations, Terrorism Senctions Regulations; Implementation of Section 4 of the Federal Chill Penalties Inflation Adjustment Act of 1990, as Amended by the Debt Collection improvement Act of 1998

AGENCY: Office of Foreign Assets Control, Treasury. ACTION: Final rule: amendments.

Summary: This final rule amends the Foreign Assets Control Regulations, Cuban Assets Control Regulations, Iranian Assets Control Regulations, Iranian Assets Control Regulations, Iranian Assets Control Regulations, Iranian Transactions Regulations, Iranian Transactions Regulations, Iranian Transactions Regulations, Federal Republic Sanctions Regulations, Federal Republic touch tone telephona.

Backgr

Section 4 of the Federal Civil Penalties Inflation Adjustment Ac. of 1990 (Pub. L. 101–410, 104 Stat. 890, 28 U.S.C. 2461 note), as amended by the Debt Collection Improvement Act of 1996 (Pub.L. 104–134, sec. 31001(s)(1). 1996 (Pub.L. 104-134, sec. 31001(s)(1). Apr. 25, 1996, 110 Stat. 1321-373-ths "DCIA") (sointly, the "FCPIA"), requires each Federal agency with statutory authority to assess civil monetary penalties ("CAPs") to adjust CAPs for inflation according to a formula described in section 5 of the FCPIA. The purpose of the FCPIA is to maintain the determent effect of CAPs through restroic rost-of-living based eriodic cost-of-living based discrepants. The first inflation adjustments. The first infliction
adjustment is required by October 2 '.
1996—180 days after the enactment of
the DCIA. Thereafter, agencies are to
make infliction adjustments at least once make inflation adjustments at least once every four year. Adjustments of CMPs are to be made by regulation published in the Federal Register. Any increase in c CMP made pursant to the FCPIA applies only to violations that occur after the date the increase takes effect. Section 5 of the FCPIA requires that each CMP Laving a specified or maximum measury amount provided for by Federal law be increased by the percentage by which the Consumer

percentage by which the Consumer Price index for all urban consumers (the "CPI") for the month of june of the calendar veer preceding the editaturmit exceeds the CPI for the moralh of June of the calendar veer in which the amount of the CMP way last set or adjusted pursuant to law. Section 5 also provides a formula for rounding the final CMP amount. Finally, section 31001(s)(2) of the DCIA mandates th the first inflation adjustment of a CMF

the first inflation adjustment of a CMP may not exceed 10 percent of the penalty prior to adjustment.

The Office of Foreign Assets Control currently unposes CMPs pursuant to three statutes: the Treding with the Enemy Act (50 U.S.C. App. 16— "TWEA"), the international Emery TWEA"), the internat "TWEA"], the international Emergency Economic Powers Act (50 U.S.C. 1705—"EEPA"], and section 580E of the Iraq Sanctions Act of 1990 [Pub.L. 101–513, 104 Stat. 2049. 50 U.S.C. 1701 note—"ISA"] The CMP amount of \$50,000 under TWEA was set in 1992. Thus, under TWEA was set in 1992. Talus, pursuant to the FCPIA, the TWEA statutory CMP must be increased by the difference between the CPI for 1995 and the CPI for 1992, or 8.8%, which, after rounding, equals 55,000. Thus, this final rule amends the maximum TWEA-based CMP are rounding between the inflations. CMP per violation to be the inflation-adjusted amount of \$55,000. The CMP amount of \$10,000 under

IEEPA was set in 1977. Applying the CPI inflator of the FCPIA would

increase the CMP under IEEPA by 151.2%, exceeding the DCIA's 10% cap. The adjustment is limited to \$1,000. s, this rule fixes the maximum IEEPA-based CMP per violation at \$11,000.

The CMP amount of \$250,000 up The CMP amount of \$250,000 under the ISA was set in 1990. The CPI inflator under the FCPIA (17.4%) again accessed the DCIA 10% cap of \$25,000. Thus, this rule amends the maximum ISA-based CMP per violation to be \$275,000.

This rule also amends the penalty provisions of the Regulations to relie an amendment to 18 U.S.C. 1001 an amendment to 18 U.S.C. 1001
contained in section 330016(1)(L) of
Public Law 103-322, Sept. 13, 1994, 108
Stat. 2147. The amendment strikes the
\$10,000 cap on fines imposed for
fraudulent dealing with Federal
agencies. Finally, this rule amends the
Regulations to note the availability of
higher crimical fines pursuant to the
formulas set forth in 16 U.S.C. 3571.

Since the Regulations involve a foreign affairs function, Executive Order 12886 and the provisions of the Administrative Procedure Act (5 U.S.C. \$53), requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date, are inapplicable. Because no eed rulemaking is notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act (5-U.S.C. 801–612) does Bot apply

This rule contains no collection of information.

List of Subjects

31 CFR Part 500

Administrative practice and recedure. Banks. banking, Blocking of seets. Cambodia, Experts, Finance, assets. Cambodia. Exports. Finance. Foreign claims. Foreign investment in the United States. Foreign trade. Imports. Information and informational materials. International organizations. North Korea. Penalties. Publications. Reporting and recordkeeping requirements, Securities, Services Specially designated nationals, Terrorism, Travel restrictions, Trusts and estates, Vietnam.

31 CFR Part 515

Administrative practice and Administrative practice and procedure. Air carriers, Banks, banking, Blocking of assets, Cuba, Currency, Estates, Exports, Foreign investment in the United States, Foreign trade, Imports, Informational materials. Imports, informational materials, Penalties, Publications, Reporting and recordiseping requirements, Securities, Shipping, Specially designated nationals, Terrorism, Travel restrictions, Trusts and trustees, Vessels.

31 CFR Part 535

Administrative practice and condure, Banks, benking, Blocking o processing, bears, mining, seeming, seems, Currency, Foreign investmen the United States, Iran, Penalties, Reporting and recordiseping requirements; Securities, Terrorism.

31 CFR Part 550

Administrative practice and procedure. Banks, banking. Blocking c assets, Exports, Foreign investment, Foreign tade. Government of Libya. Imports, Libya. Losns, Panalties. and recordkeeping ats. Securities, Serv orting and recordle Specially designated nationals. Terrorism. Travel restrictions.

31 CFR Part 560

Administrative practice and procedure. Agriculture commodities. Banking and finance. Exports. Foreign trade. Imports. Information. Investments. Iran., Least. Penalties. Reporting and recordiscipling requirements. Services. Specially designated nationals. Terrorism. requirements, Services, S designated nationals, Ter reportation.

31 CFR Part 575

Administrative practice and rocedure, Benks, banking, Blocking o procedure, Benks, benking, Blocking a assets, Exports, Foreign trade, Humanitarian aid, Imports, Iraq. Oll ixsports, Fundities, Petrolsum, Petrolsum producis, Reporting and recordisept's requirements, Specially designated astionals, Terrorism, Trava

31 CFR Part 585

Administrative practice and procedure. Banking and finance, Elocking of assess, Exports, Federal Republic of Yugoslavia (Serbia and Montenegro), Foreign trade, Imports Intellectual property, Loness, Penalli Reporting and recordiseping requirements. Securities. ots, Securities, Se Shipping, Telecommunications. Transfer of assets, Vessels.

31 CFR Part 590

Administrative practice and procedure, Angola, Exports, Foreign trade, National Union for the Total independence of Angola, Penalties, Reporting and recordisesping ents, Shipping, UNITA. requirer

31 CFR Part 595

Administrative practice and procedure, Banking and finance, Blocking of assets, Penalties, Repo and recordkeeping requirements. Specially designated terrorists. Terrorists. Transfer of Assets.

For the reasons set lotth in the ble, 31 CFR chapter V is see

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

The authority citation for part 500 revised to read as follows:

Anthority: 80 U.S.C. App. 1944; Pub. I. 104-132, 110 Sust. 1214, 1234 (18 U.S.C. 2324); Pub. I. 191-410, 104 Sust. 890 (28 U.S.C. 2461 nomb. E.O. 9193, 7 FR 3205, 3 CFR 1938-1945 Comp., p. 1174; E.O. 919 13 FR 4691, 3 CFR

Subport G-Pr

led by 2. Section 500,701 is as 2. Section Stud. 70 to immensionly removing paragraph (a)], redesting paragraphs (b) and (c) as paragraphs (c) and (d), respectively, adding a new paragraph (b), and revising introductory paragraph (a), paragraph (a), and redesignated paragraph (c) to read as follows:

§ 500.701 Panellies.

- (a) Attention is directed to section 16
 - (2) . . .
- (2) " a Secretary of the Treasury may unpose a civil penalty of not more than \$55,000 per violation on any person who wayless any license. order, or regulation issued under that act:

 (4) " "
 - (5) • •
- (b) The criminal penalties provided in the Trading with the Enemy Act are subject to increase pursuant to 18 U.S.C. 3571
- 3571
 (c) Attention is directed to 18 U.S.C.
 1001, which provides that whoever, in
 any matter within the ruradiction of any
 department or agency of the United
 States, knowingly and willfully falsifies,
 conceals or covers up by any trick,
 scheme, or device a material fact, or scheme, or device a meterial fact, or makes any false, Scittious or freudulent statements or representation or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fixed under title 18.
 United States Code, or imprisoned more than five years, or both.

PART 515—CUBAN ASSETS CONTROL REGULATIONS

The authority clistion for part 515 revised to reed as follows:

Anthonity: 90 U.S.C. App. 3—44: 22 U.S.C. 8001—8010: 22 U.S.C. 2377(a): Peh.-L. 186—132, 110 Sec. 1214, 1234 (18 U.S.C. 23324); Peh. L. 103—101, 104 Sec. 800128 U.S.C. 2463 nonie; Proc. 3467 27 FR 1083, 3 CFR 1869—1885 Comp., p. 137: E.O. 9183, 7 FR 2005, 3 CFR, 1838—1943 Comp., p. 1147; E.O. 8081, 13 FR 4081, 3 CFR, 1953—6 Comp., p. 4081, 3 CFR, 1953—6 Comp., p. 4081, 3 CFR, 1953—1945 Comp., p. 4081, 3 CFR, 1953—6 Comp., p. 614.

Subpart G-P

2. Section 515.701 is amended by Section 515.701 is ensembled by removing paragraph (al5), redestignating paragraphs (b), (c), (d) and (e) as paragraphs (c), (d), (e) and (l), respectively, adding a new paragraph (b), and revising introductory paragraph (a), paragraph (a)(3), and redestignated paragraph (d) to read as follows:

§ 515.701 Penals

- (a) Attention is directed to section 16 of the Trading with the Ensury Act (50 U.S.C. App. 18), as amended by the Federal Civil Penalties Inflation Adjustment Act of 1900 (Pub.L. 101–410, as amended, 28 U.S.C. 2461 note), which provides that:

 (1) * * * (2) * * (3) The Company of the Civil Penalties (1) * * (3) The Civil Penalties (1) * (3) The Civil Penalties (1) * (4) * (5) * (5) * (6)
- [2] The Secretary of the Treasury may impose a civil peakly of not more than \$25,000 per violation on any person was violates any license, order, or regulation issued under that act:

 [4] * "
- (b) The criminal penalties provided in the Treding with the Enemy Act are subject to increase pursuant to 18 U.S.C. 3571
- scheme, or device a material fact, or makes any false, fictitious or fraudulent makes any false. Ectitious or fraudulent statements or representation or makes or uses any false writing or document knowing the same to contain any false. Scittious or fraudulent statement or easily, shall be fined under title 18. United States Code, or imprisoned not more than five years, or both.

PART 535-CONTROL REGULATIONS

The authority citation for part 535;
revised to read as follows:

Archeoly 19 U.S.C. 1791—1708: Pub. L. 100—132. 110 Sec. 1214, 1234 (18 U.S.C. 23334: Pub. L. 101—101. 104 Sec. 800 (28 U.S.C. 2401 netol; E.O. 12170, 44 PR 65728, 3 CPR, 1970 Comp. p. 437; E.O. 12208. 4 FR 24600, 3 CPR, 1060 Comp., p. 248; E.O.

12213, 45 FR 20083, 3 CFE, 1900 Comp., p. 283; E.O. 32270, 40 FR 7913, 3 CFR 1901 Comp., p. 100; E.O. 12270, 45 FR 7919, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 46 FR 7919, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 46 FR 7923, 3 CFR, 1901 Comp., p. 110; E.O. 12220, 46 FR 7923, 3 CFR, 1901 Comp., p. 110; E.O. 12220, 46 FR 7923, 3 CFR, 1901 Comp., p. 130; E.O. 12220, 46 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 46 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 46 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 46 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 46 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 46 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 46 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 40 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 40 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 40 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 40 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 40 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 40 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 40 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 40 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 40 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 40 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 40 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 40 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 40 FR 7923, 3 CFR, 1901 Comp., p. 100; E.O. 12220, 40 FR 7923, 40 113: EO. 1228, 46 FR 7627, 3 GFR, 1981 Comp., p. 113: EO. 1228, 46 FR 7627, 3 GFR, 1981 Comp., p. 114: and E.O. 12294, 46 FR 14111, 3 GFR, 1981 Comp., p. 136.

Subpart G-Panalties

2. Section 535.701 is amended by redesignating existing paragraphs (b) and (c) as paragraphs (c) and (d), respectively, adding a new paragraph (b), and revising paragraph (a) and redesignated paragraph (c) to read as redesign

\$ 836,701 Por

- (a) Attention is directed to section 206 of the international Emergency Economic Powers Act (the "Act") [50 U.S.C. 1705], which is applicable to violations of the provisions of any licenses, ruling, regulation, order, direction or instruction issued by or ed by or direction or instruction issued by or pursuant to the direction or authorization of the Secretary of the Treasury pursuant to this part or otherwise under the Act. Section 200 of the Act, as amended by the Federal Civi Penalties inflation Adjustment Act of 1000 (Red. 1, 2014). 1990 (Publ. 101-410, as ame
- 1990 (Pub.L. 101—410, as amended, 28 U.S.C. 2461 note), provides that (1) A civil panalty of not to access \$11,000 per violation may be imposed on any person who violates any license order, or regulation issued under the
- ct: (2) Whoever w<u>illfully violates any</u> cause, order, or regulation issued (2) Whoever wilfilly violates any license, order, or regulation issued under the Act shall, upon conviction, be fined not more than \$50,000, or, if a natural person, may be imprisoned for not more than tan years, or both: and any officer, director, or agent of any any cincer, cursum, or agent or any corporation who knowingly participates in such violation may be punished by a like fine, imprisonment or both. (b) The criminal penalties provided in the Act are subject to increase pursuant to 18 U.S.C. 3571.
- (c) Attention is also directed to 2 U.S.C. 1001, which provides that whoever, in any metter within the U.S.C. 1001, which provides that whoever, in any metter within the jurisdiction of any department or agency of the United States, knowingly and willfully failfies, conceals or covers up by my trick, scheme, or device a meserial fact, or makes any faise. Scittious or fraudulent statement or representation or makes or uses any faise writing or document knowing the same to contain any false, Scittious or fraudulent statement or entry, shall be fined under title 18, United States Code

or imprisoned not more than five years. • • •

PART 550—LIBYAN SANCTIONS REGULATIONS

1. The authority citation for part 550 revised to read as follows:

is revised to read as follows:

Astherity: 50 U.S.C. 1701-1706: 50 U.S.C. 1601-1651: 22 U.S.C. 2872: 69 U.S.C. App. 1514: 22 U.S.C. 2872: 69 U.S.C. App. 1514: 22 U.S.C. 2832: 49 U.S.C. 2832: 110 Sat. 1214. 1254: (18 U.S.C. 2832: 15 U.S.C. 2831: Pab. L. 101-410. 104 Sat. 890 (28 U.S.C. 2461) noch E.C. 12541. 51 FR 873. 3 CFR. 1986 Comp., p. 1871: E.O. 12544. 51 FR 1235. 3 CFR. 1986 Comp., p. 1871: E.O. 1254. 51 FR 1235. 3 CFR. 1986 Comp., p. 28 U.S.C. 2831: 1801 Comp., p. 28 U.S.C. 2832: C.S.C. 2832: C.S.C.

Subpert G-Penalti.

2. Section 550.701 is emended by redesignating existing paragraphs (b), (c) and (d) as paragraphs (c), (d) and (e), respectively, adding a new paragraph (b), and revising paragraph (a) and redesignated paragraph (c) to read as follows:

(a) Amenuon is directed to section 206 of the international Emergency
Economic Powers Act (the "Act") (50
U.S.C. 1705), which is applicable to
violations of the provisions of any violations of the provisions of any lice use, ruling, regulation, order, durection or instruction issued by or pursuant in the direction or suthernations of the Secretary of the Treasury pursuant to this part or otherwise under the Act. Section 208 of the Act, as amended by the Federal Civil Penalties inflation Adjustment Act of 2000 (No.). 101-419. 1990 (Pub.L. 101-410, as amended, 28

1990 (Pub.L. 101-410, as amenced, 28 U.S.C. 2461 note), provides thet:

(1) A civil penalty of not to exceed
\$11,000 per violation may be imposed
on any person who violates any lumnes
order, or regulation issued under the

(2) Whoever willfully violates any license, order, or regulation issued under the Act shall, upon conviction be under the Act shall, upon conviction be fined not more than \$50,000, or, if a natural person, may be imprisoned for not more than two years, or both; and any officer, director, or agent of any corporation who knowingly participates in such volution may be punished by a like fine, imprisonment or both.

(b) The criminal penalties provided in the Act are subject to increas to 18 U.S.C. 3571.

(c) Attention is also directed to 18 (c) Attention is also directed to is
U.S.C. 1001, which provides that
whoever, in any matter within the
justification of any department or agency
of the United States, knowingly and
willfully falsifies, conceals or covers up

by any trick, scheme, or divice a mineral fact, or makes any false, fictitious or fraudulant st nconous or insudatest statement or representation or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or earry, shall be fined under title 18, United States Code, or imprisoned not more than five years, or both.

PART 560—IRANIAN TRANSACTIONS REGULATIONS

1. The authority citation for part 560 is revised to read as follows:

IS NOTINGED TO PRIOR AS DOLLOWS:

1801-18512: 22 U.S.C. 2346ms-6; Pub. L.
100-1312, 110 San. 1214, 1224 (18 U.S.C.
2312d; Pub. L. 107-410, 104 San. 880 (28 U.S.C. 2461 sees); 3 U.S.C. 250; E.O. 12813, S. FR. 1496.3 G.FR. 1897 Comp., p. 250; E.O. 12815, 60 FR 14615, 3 G.FR. 1895 Comp., p. 251; E.O. 12804, 60 FR 24737, 3 G.FR. 1895 Comp., p. 354.

Subport G-Po

2. Section 500.701 is amended by redesignating existing paragraphs (b), (c) and (e) as paragraphs (c), (e) and (d), respectively, adding a new paragraph (b), and revising paragraph (a) and redesignand paragraph (c) to read as follows: follo

§ 500.701 Pen

§ 880.701 Penesses.

(a) Attention is directed to section 206 of the international Emergency Economic Powers Act (the "Act") (50 U.S.C. 1795), which is applicable to violations of the previsions of any houses, raling, regulation, order, direction or instruction is seed by or pursuant to the direction or suthernation of the Secretary of the Treasury pursuant to this part or otherwise under the Act. Section 206 of the Act. as amended by the Federal Civil Penalises inflation Adjustment Act of 1990 (Pub.L. 101–410, as amended, 28 U.S.C. 2451 note), provides that:

(1) A civil penalty of not to exceed \$11,000 per violation may be impose \$11,000 per violation may be imposed on any person who violates any license, order, or regulation issued under the

Act."
[2] Whoever willfully violates any bosses, order, or regulation issued under the Act shall, upon conviction be fined not more than \$50,000, or, if a fined not more than \$50,000, or, if a natural person, may be imprisoned for not more than ten years, or both: and any officer, discover, or agent of any corporation who knowingly participates to such violation may be punished by a like fine, impresonment or both. (b) The criminal penalties provided in the Act on subsect to income a numeric in

(c) Attention is t iso directed to 18 U.S.C. 1001, which provides that whosver, in any matter within the jurisdiction of any department or agen of the United States, knowingly and of the United States, knowingly a willfully falsifies, conceals or cow by any trick, scheme, or device a meterial fact, or makes any false, factitious or fraudulent statement two reseatation or makes or uses a representation or makes or uses my false writing or document knowing the same to contain any false, fictitious or feasiblent statement or entry, shall be fraudulent statement or entry, shall be fined under title 18, United States Cod or imprisoned not more than five years or both.

PART 575-IRACI SANCTIONS REGULATIONS

1. The authority cit ion for part 575 is revised to read as follows:

is revised to reals as measures:
Authority: 50 U.S.C. 1701-1708; 50 U.S.C.
1807-1831; 22 U.S.C. 2879: Prob. L. 1504-12
110 Sun. 1214, 1254 (18 U.S.C. 22326); Pol.
101-410; 104 Sun. 800; 22 U.S.C. 22326); Pol.
201-180; 21 U.S.C. 201; E.O. 12722, 55 FF. 2180
2 CFR. 1800 Comp. p. 204; E.O. 12724, 55
FR. 33080; 2 CFR. 1902 Comp. p. 317.

2. Section 575.701 is amended by edesignating existing paragraphs (b), 2. Section 575.701 is amended by reducinating arising paragraphs (b), (c), (d) and (e) as paragraphs (c), (d), (e and (f), issuectively, adding a new paragraph (b), adding a new final sentence to reducinated paragraph (c) and revising introductory paragraph (a) paragraph (a)(1), and reducingment of paragraph (d) to read as follows:

§ 575.701 Penaltic

(a) Section 580E of the Ima Senction. Act of 1990 (Public Law 101–513, 104 Stat. 2049), as amended by the Federal Civil Penalties Inflation Adjustment Ac of 1990 (Pub.L. 101-410, as emen of 1990 (Pub.L. 101—410, as smeanded, 28 U.S.C. 2461 note), provides that, notwithstanding section 236 of the International Emergency Economic Powers Act (50 U.S.C. 1795) and sectio 5(b) of the United Nations Participation Act of 1945 (22 U.S.C. 287-(b)); (1) A civil penalty of not to emosed \$275,000 per violation may be imposed and the property with after the encoding

\$275,000 per violation may be impo on any person whe, after the enactu of this Act, violates or evades or attempts to violate or evade Executi attempts to violate or evade Executive Order Number 12722, 12723, 12724, or Order Number 12722, 12723, 12724, or 12725, or any liconas, order, or regulation issued under any such Exactive Order; (2) ° ° (3) ° ° (b) The criminal penalties provided in the Iraq Samritons Act are subject to increase pursuant to 18 U.S.C. 3571. (c) ° "The criminal penalties provided in the United Nations

Participation Act are subject to introsperment to 18 U.S.C. 3871.
(d) Attention is also directed to 18 U.S.C. 1001, which provides that whoever, in any matter within the whoever, in any matter within the jurisdiction of any department or up of the United States, knowingly and willfully falelfies, canonies or covers by any trick, achamo, or device a material fact, or makes any fales, fictitious or frauchalunt statement or within ciment or open to read. cion or makes or uses sury representation or makes or use any false writing or document knowing the same to contain any false, fictitious or all be fraudulent statement or entry, shall be fined under title 18, United States Code, or imprisoned not more than five year both.

PART SIS-FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) AND THE BOSHIAN SERB-CONTROLLED AREAS OF THE REPUBLIC OF BOSMA AND HERZEGOVINA SANCTIONS RECULATIONS

The enthority citation for part 585
revised to read as follows:

Anthorny: 50 U.S.C. 1701–1708: 50 U.S.C. 1801–1851; 22 U.S.C. 287c; 40 U.S.C. App. 1514; Pub. L. 181–410. 190 Sus. 500 128 U.S.C. 2464 annut 2 U.S.C. 291; E.O. 12808, 57 FE 23206; Y.L. 12810, 57 FE 24347; E.O.

Subport C-Panalties

2. Section \$43.701 is amended by redesignating emisting paragraphs (b), (c), and (d) as paragraphs (c), (d), and (e), respectively, adding a new paragraph (b), adding a new paragraph (b), adding a new final sensition to redesignated paragraph (c), and revising paragraph (a) and redesignated paragraph (d) to read as follows:

\$885.701 Po

§ 885.701. Penettes.

(a) Anemices us directed to section 206 of the International Emergency Economic Powers Act (the "Act") [50 U.S.C. 1703], which is applicable to violations of the provintons of any licenses, ruling, regulations, order, direction or instruction issued by or pursuant to the direction or authorization of the Servicery of the Tressury pursuant to this part or otherwise under the Act. Section 208 of the Act, as amended by the Federal Civil Penalties inflation Adjustment Act of 1990 (Pub. 1. 101–110, se amended, 28 1990 (Pub.L. 101-410, as amended, 28

1990 (Pub.L. 101-410, as amenticed, 28 U.S.C. 2481 note), provides that:

(1) A civil penalty of not to exceed
\$11,000 per violation may be imposed on any parson who violates any license, order, or regulation issued under the Act:

(2) Whoever willfully violates any licenses, order, or regulation issued under the Act shall, upon conviction is fined not more than \$50,000, or, if a natural person, may be imprisoned for more then ten years, or both; and any efficer, director, or agent of any not more then ten years, or both; and say afficer, director, or agent of any corporation who knowingly participates in such violation may be punished by a like fine, imprisonment or both.

(b) The criminal penalties provided in the Act are subject to increase pursuant to 18 U.S.C. 3371.

(c) " " The criminal penalties provided in the United Notions

ided in the United N

provided in the United Nations
Participation Act are subject to increase
pursuant to 18 U.S.C. 3571.
(d) Attention is also directed to 18
U.S.C. 1001, which provides that
whoever, in any matter within the whoseur, in any matter within the jurisdiction of any department or age of the United States, knowingly and willfully falsifies, conceals or covers willimity manner, concease or covers by any trick, scheme, or device a material fact, or makes any false, factitious or fraudalent statement or representation or makes or uses any representation or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shell be fined under title 18, United States Code. or imprisoned not more than five years, or both.

PART 580—UNITA (ANGOLA) SANCTIONS REGULATIONS

1. The eathority citation for part 590 is revealed to read as follows:

Authority: 50 U.S.C. 1701–1706; 50 U.S.C. 1807–1861; 22 U.S.C. 287c; Pals. L. 101–410, 104 Shn. 800 (28 U.S.C. 2651 noos); 3 U.S.C. 201; E.O. 12066, 50 FR 81005.

Subpart G-Penalti

2. Section 590.701 is amended by redesignating constant paragraphs (b), (c) and (d) as paragraphs (c), (d) and so, respectively, adding a new paragraph (b), adding a new final sentence to redesignated paragraph (c), and revising paragraph (a) and redesignated paragraph (d) to read as follows:

5300,791 Fenerale.

§ \$80.701 Function.

(a) Attention is directed to section 20 of the international Emergency Economic Powers Act (the "Act") (50 U.S.C. 1703), which is applicable to valestone of the provisions of any license, raling, regulation, order, direction or instruction issued by or resumment on the direction or U.S.C. 1703), which is applicable to violations of the provisions of any licenses, reliag, regulation, order, direction or instruction issued by or pursuant to the direction or authorization of the Secretary of the Treesury pursuant to this part or otherwase under the Act. Section 206 of the Act. as amended by the Federal Civil Penaltics inflation Adjustment Act of Penaltics.

[585.701 Penaltics.

[a] Attention is directed to section 206 of the international Emergency Economic Powers Act (the "Act") [50 U.S.C. 1705], which is applicable to violations of the provisions of any licenses, ruling, regulation, order, direction or instruction issued by or pursuant to the direction or

1990 (Puls, L., 191-410, as assended, 29

1300 trem. 1.37—110, as assented, ; U.S.C. 2461 note), provides that: (1) A civil pensity of net to exceed 311,000 per violation may be impose on any parson who violates any item order, or regulation issued under the

Act; (2) Whoever willfully violates my license, order, or regulation issued under the Act shall, upon conviction be fixed not more than \$30,000, w. if a natural person, may be imprisoned for not more than two years, or both and any officer, director, or equat of any corporation who knowingly participates in such violation may be punished by a like fine, imprisonment or both.

(b) The criminal penalities provided in the Act are subject to increase pursuent to 18 U.S.C. 3371.

(c) * * The criminal penalities

(c) * * * The criminal penalties provided in the United Nations
Participation Act are subject to incurrence to 18 U.S.C. 3871.

Participation Act are subject to increase pursuant to 18 U.S.C. 3971.

(d) Attention is also directed to 18 U.S.C. 1901, which provides that whoever, in any meties within the jurisdiction of say department or agency of the United States, innovingly and willfally falsifies, conceals or covers up by any trick, achema, or device a material fact, or makes any false, factitious or fraudulent statement or representation or makes or uses any inferest or contain any false, factitious or devices or the same to contain any false, factitious or innavisonal ratement or early, shall be fined under title 18, United States Code, or imprisoned not more than five years, or both.

PART 595—TERRORISM SANCTIONS REGULATIONS

1. The authority citation for part 595 is revised to read as follows:

Authority: 50 U.S.C. 1701-1706; 50 U.S.C. 1801-1851; 3 U.S.C. 301; Pab. L. 101-410, 104 Sus. 880 (28 U.S.C. 2451 mate); E.C. 12947. 60 FR 3078.

Subport G-Penalti

 Section \$95.701 is amended by redesignating existing paragraph (b) as paragraph (c), adding a new paragraph (b), and revising paragraph (a) and redesignated paragraph (c) to read as follows:

estherisation of the Secretary of the Treasury persuant to this part or otherwise under the Act. Section 206 of the Act, as unended by the Federal Civil Penalties Inflation Adjustment Act of 1800 (Pub. L. 107–410, as unended, 28 U.S.C. 2461 nots), provides that:

(1) A civil penalty of not to exceed \$11.000 per violation may be imposed on any person who violates any license, order, or regulation issued under the Act;

salphoper visions may be supposed any person who violans my license, order, or regulation issued under the Act:

(2) Whoever willfully violates any license, order, or regulation issued under the Act shall, upon conviction be fined not more than \$50,000, or, if a netural person, may be imprisoned for not more than ten years, or both; and say officer, director, or agent of any corporation who knowingly participates in such violation may be pumished by a like fine, imprisonment or both.

(b) The criminal penalties provides in the Act are subject to increase pursuant to 18 U.S.C. 3571.

(c) Attention is also directed to 18 U.S.C. 1001, which provides that whoever, in any mener within the jurisdiction of any department or agency of the United States, knowingly and willfully fallifies, concasts or covers up by any trick, scheme, or there a meternal fact, or makes any false. Scittious or fruidulent statement or entry, shall be fined under title 18, United States Code, or impressed testement assumes to contain any false. Scittious or fruidulent statement or entry, shall be fined under title 18, United States Code, or impressed testement.

Detect. October 17, 1968.

R. Eichard Nevenish.

Detect. Office of Foreign Assets Control. Approved: October 18, 1968.

Jeans E. Johnson.

Assented Scowerty (Enforcement)

[FR Dec. 96–37285 Filed 10–21–98; 11:50 min series.